## COLT'S TRIAL.

SECOND DAY-THURSDAY.

The same excitement prevailed this day through a whole city, to see and hear this extraordinary

the whole city, to see and hear this extraordinary trial.

Crowds surrounded the City Hall, endeavoring to gain admittance; but the excellent regulations prevented any confusion or uproar, and none but those authorised and required to attend the trial wore admitted. The Court was full, but not so crowded as the day before. By half past teno'clock 're were only ten male and three female witness-present, including Mrs. Adams, who looked rary pale and agitated; her father was with here were her veil down, and looked earnestly to-rds Colt, who sat right opposite to her on the erside of the room.

Lelt was dressed in black pantaloons, boots, black in vest, a dark blue beaver cloth half overcoat, as a frock coat; a black silk handkerchief a tied neatly round his neck, and the ends pass-under his vest, out of sight; he looked uncomply calm, but was evidently somewhat nervous, ough he suppressed all traces of emotion. He me into Court before nice o'clock, and sat an ur and a half in reading the papers, particularly debates in Congress, from the second edition of "Herald." His father was with him, a veneban had evidently suffered much from his sen's ustion; he looked as if he had bees crying bitty and long. Colt's brother was also present, artibuting as much as possible to his brother's infort.

Lost excellent order was preserved inside the through the papers of inside the

fort.

Ost excellent order was preserved inside the through the peremptory order of Judge Kent, en the officers carried out fully, and the accommations for the reporters were most excellent.

Treessely at half past ten o'clock, Judge Kent Alderman Purdy and Lee entered and took r seats. The Court was then opened. The key, Henry Vandervoort, called over the names he eleven jarors sworn the day before, all of m answered thereto.

dge Kent—Now, gentlemen, proceed, if you ready.

HILING—Has the sheriff made his return.

HITING—Has the sher iff made his return.
te Deputy Sheriff came into Court, and said
he had.

he had.

dge Kent-One of the jurors wishes to go to his
ly in charge of an officer.

is was consented to by prisoner's counsel.

Court swore two officers, and ordered them

o lose sight of him, and suffer no one to speak

n on the subject of the trial.

snx—The Sheriff returns William Smith as a

LLIAM SMITH was put to the stand.

SELDEN said he thought the rule of law was turn to the original panel, which was never exhausted as long as a juror was in Court. He wished the name of the talesman put in the box with those of the regular panel that were not called, and then drawn in regular order.

Mr. W. Smith was examined—Said he lived at 69 Avenue D, was in the lumber business—had read the papers, and formed an opinion. Set aside.

The Court directed the Sheriff to summon another juror from the county at large.

Mr. Selden moved to have the original panel called.

EDEN excepted.

Sheriff returned John Roshore

This was overruled.

John Roshore examined—lar a silversmith and live at 560 Fourth street: have read the statements in the papers, bn. i know none of the parties believe exp. have formed no opinion, and I SELT essed done.

SELT essed done.

WHITING—Have you ne conscientious scruples about serving on a trial involving life and death.

Roshore—l've been opposed to capital punishments.

ments.

Judge Kxny—But you've no conscientious scruples that would prevent you from bringing in a verdict of guilty, if the evidence warranted it, though the punishment were death.

ROSHORE—No, mr.

Resignor was then sworn.
Two of the javers, Meants. Huestis and Howe,
I just before been allowed to leave in charge of

an officer.

Mr. Splore then said, that perhaps, before proceeding further, the Court would take an interval of half an hour, during which time any of the jurors who wished to retire, could do so.

Judge Keny—If any of the jurors wish to go to any specific place, I can send them in charge of an

officer.

SELDEN—Yes, sir; that's what I mean.

Messrs. Hobby, Matfield, Forester and Delevan, then left in charge of an officer. Subsequently Mr. Duncomb, another juror, left.

Here Colt's Counsel jointly and severally left the room, to consult together, as we presume.

The following is a complete list of the Jury:
1. Joseph Bishop, 562 Grand street.

ne following is a complete list of the Jury:
Joseph Bishop, 552 Grand street.
Nathan R. Husted, North American Hotel, Bowe
Epenetus Howe, 53 Liberty street.
James R. Hobby, 274 Grand street.
Hiram M. Forester, 242 Broadway.
Horace F. Clark, 167 Greenwich street.
Elias Haffield, 472 Broadway.
Charles H. Deleran,
Thomas Doddsworth,
Alfred H. Duucombe, 337 Pearl street.
John H. Willians, 315 Pearl and 199 Madison sts.
John Roshore.

11. John H. Williams, 315 Pearl and 199 Malison sts.
12 John Roshore.
Too much praise cannot be awarded to Mr. John
Westervelt, the Deputy Sheriff, for the very excellent manner in which he planned and conducted
all his arrangements for preserving order in Court,
and keeping out the crowd. Within the bar, were
Mesers. Hoffman, Maxwell, David Graham,
and several other distinguished lawyers, drawn
thither by the interest of the case.
The Jurors having returned their names were
called over by the Clerk. All answered.
Clear: Gentlemen you will look on the prisoner
and listen to the indictment, which is in the following words.

Here the Clerk read the indictment; the prisone

Colt, stood up and looked earnestly at the Jury, and looked tolerably calm; but his lips moved as in the act of chewing all the while; and his arms were folded.

were folded.

The case on the part of the people was opened by James M Smith, Jr.

Mr. Smith, Jr.

Mr. Smith aid it was the first time in his life that he had ever arisen to address the jury on a part of the people, in a case where the verdict which they would reuder might furnish to the court the authority to pronounce upon the individual on trial, the sentence of death. That it was a painful ty for the court, a painful duty for the jury, and a painful duty for coursel—nevertheless, it was a painful ty which must be fearlessly and faithfully personned, and that so far as the jury was concerned.

painful duty for counsel—nevertheless, it was any which must be fearlessly and faithfully personned, and that so far as the jury was concerned, by had nothing to do with the consequences the might result from their verdict: He stated the was aware of the deep interest which case had excited—that it was one almost waralleled in the history of crime, and a upon which almost every person who had there of the transaction, had formed an opinion. That the jury were selected, after strict examination, cause they had sworn they stood impartial betten the people and the prisoner, and the people aid require of them the same candour and intiality that would be required of them by the joiner's counsel. He was aware that in cases of kind, the sympathy was all with the prisoner; he must remind them that sympathy ought to have the costrol of the jury box; that there ice alone should govern; that the prisoner was canraged with committing a murder, unparalleled in the history of this ceuntry; that we all knew the deep feelings which acitated this community at the time of the first announcement of this tragedy; that we saw, by the immense concourse which has here assembled to witness these proceedings, that the excitement then felt is still existing; that under such circumstances, it would be their duty to examine with grea: caution the evidence, and that if any thing, no matter how slight, was clicited in favor of the prisoner, it should receive candid consideration, and ensure at their hands its full benefit for the prisoner. Mr. S. then stated the principles of law governing cases of this nature, and detailed the facts of the case, as the prosecution expected to be able to give them in evidence to the jury; and concluded by saying if the facts proved were such as he had stated, it would be the duty of the jury, without regard to their feelings, to pronounce a verdict of guilty.

Mr. Wattring called Asa H. Where and their feelings, to pronounce a verdict of guilty.

Mr. Wattring called Asa H. Where and the chards of the case,

Mr. Whiting called Asa H. Wheeler: Am a cacher of Writing and Book Keeping, corner of Chambers and Broadway, his place of business: forthwest corner of granite buildings.

Am married: live 20th street, near Broadway: ny office has been in the Granite Buildings since me year last May: second floor.

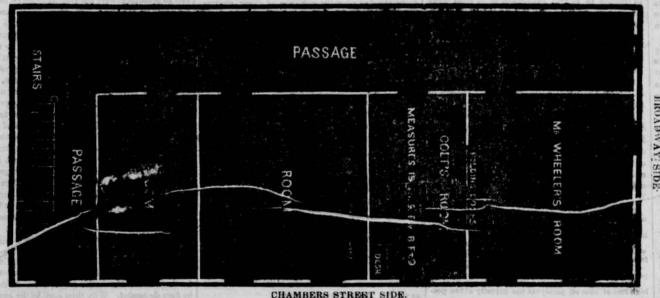
Whiting—Bring me that diagram, if Justice Tealor is a court.

GRANITE BUILDINGS,

THE PLACE WHERE ADAMS WAS KILLED.



DIAGRAM OF SECOND FLOOR.



wished to take a room of me; 1 let bim have the room for six weeks, according to agreement, from the second of August, I think it was; room sight in the drop on one plide; put it into the key-hole; 1 there saw in about the centre of the ing mine in the granite buildings; I eccupied then two rooms; they joined each other-folding doors between; my entrance is in Chambers street. In going up to the hall you immediately ascend the stairs; there is a right hand rail; no turn till we come te the second floor; at the head of the stairs; there is a right hand; and adversary in the body was about one fourth bent.) I could not see whether he did try It. Ho then began talking to me about book keeping (we both eneaged in). Course of conversation, he room, close by the west side of the room, clear up to the hall you immediately ascend the stairs; there is a right hand rail; no turn till we come te the second floor; at the head of the stairs you turn to the right to get to my room; there are three or four rooms between the stairs and Brookless. (If showed how the reson stood; room is passed first in going to my room; there are three or four rooms between the stairs and Brookless. (If showed how the body was about one fourth bent.) I could not see whether he did try It. Ho then began talking to me about book keeping (we both eneaged in). Course of conversation, he said must be the seem is a right hand; the stail is brother; and the shoulders of the sound hand their shoulders. (If showed how the seewers in light of the stail in the stail is brother; he was very talked an lour fer him; I observed that I did not see whether he did the see his brother; he was very talked an lour fer him; I observed that I did not see whether he did him 'N. Oil see his brother; he was very talked an lour fer him; I old him 'N. Oil see his limit and their brothers are the seem in shoulders. (If showed how the seeme is brother; he was very talked an lour fer him; I old hat the seeme had a seeme had a said ment to work and the seeme had a seeme had a with that room that six weeks, having but few scholars; on his coming into the room, the folding doers were locked, and remained so during his occupancy, and never opened to my knowledge. Mr. Riley occupied the room four weeks before Colt came in —the key, I suppose, was given to Colt ty Riley; I never saw it since Riley had it; Riley had the room three months; he had the key; it was kept locked by Riley; no other fastening was put on the door while Riley was there that I know of. These doors could not be opened into my rooms on the morning Colt moved in; cannot say how soon after Colt came in I went there; I never saw any furniture but a few chairs, a table, a box and a trunk; it was a pine box, about three feet in length, about eighteen inches wide, and the same in depth; I never took particular notice of the box—mere conjecture; it stood left hand corner as you entered the room. The table stood in the west corner of the room, to the right hand of the window on Chambers street Whitting.—Look at that diagram as it's folded down, Wheeler. Is that the relative situation of the cooms as they are!

down, wheeler. is that the relative situation of the rooms as they are?

[The above diagram was shown to witness.]

Witness.—That's the position of the rooms—this is the hall, there is mine and Colt's room, there the windows on Broadway and Chambers street, and there the folding doors.

Judge \*Ent—Let me see that diagram.

this is the hall, there is mine and Colt's room, there the windows on Broadway and Chambers street, and there the folding doors.

Judge Kent—Let me see that diagram.

(The diagram was handed to the Judge, and afterwards handed to the Judge, and let remarks of the doors, fixed in my room; one standing against those folding doors; it was seven feet long and four feet in widty, it occupied about the space of the doors, fixed in nicely to the posts of the doors; another desk standing against the wall on Chambers st, between the windows, extending from one window to another; a third stood from the window, and extended from the corner window to the second window up Broadway. Chairs and benches are used for my pupils. Chairs used to the desk against the folding doors; chairs to the desk for Chambers street, and benches to the one in Broadway. It had an old secretary in the recess on Broadway, that I used myself, between the fire-place and the Broadway wall. The fire-place is in the partition, on the hall; that is a brick partition; the partition between the rooms is lath, plaster and studa. Up to time of this affeir, I vehad no controversy—I once asked him for a small amount of rent—he got earaged—I told him it was not worth while to get angry for so small a matter; he gave me then some of his books as security, and we were good friends again. The very next evening after this, Colt was in my room after my scholars had left. He was to pay me §10 at the expiration of four weeks and §5 at the expiration of two weeks more; so these words must have been about the 2d or 3d of September. The next evening he came into my room about nine of clock and conversed for some time with me; I had first spoken to him. From then down to the 17th of September; then he wished to stay a week over his time; I partly assented to this rather than have any difficulty

der; he eame down with me, and looking at Colt's door, found it darkened again, the drop inside put over the key-hole: Mr. Hockton appeared to the rather timid; he left me; went back; he bought there could'nt be anything of the kind—I related the circumstance to him; he appeared to be agitated and left me alone in the hall: I waited: keeping an eye on the door, till a scholar of mine came in, I related the circumstance to him; and I rapped at the door; no answer; all perfectly still. I then went softly down to the head of the stairs, and returned with a heavy walk to the door, supposing Mr. Colt might think it was a friend, and open the door. I wrapped again, all was still—Several of my scholars came in immediately after I then waited in my own room; in fifteen minutes—they came in, being young men of seme experience in life. I related the circumstance to to them; I still kept watch, I believe. I then sent a person, Mr. Delnose, after an officer; the person returned with the word that the officer was engaged then, but would be there in half an hour, or less. We waited there till candle lighting, when Mr. Wood and Mr. Riley, two offmy scholars went after another officer. Mr. Wood is clerk at the Exchange Lyceum, in Broadway; Mr. Riley is a dry goods merchant; don't know where he is. The answer was that the officers could not open the door, if they came, but that I must keep watch-Mr. Isaac Seignette was the person who kept watch before. And after this, several of my scholars watched Colt's door, their anxiety was so great. I waited with my scholars till 9 o'clock, my hour of going home; left the room in charge of Mr. Delnose. During the evening we heard a noise in the room continually, but no one went in or out; from the time of the noise of the foils, to 9 o'clock, in heard no words in that room; that was why it supprised me; came upon me so suddenly, and immediately ceased. The noise of foils was but a cecand or two and these for the foils of the foils of the sound of the human voice. The review soft the sound wrangling quarrel, nor any thing like the sound of the human voice. Previous to that noise of foils, I heard no words in that room; that was why it sarprised me; came upon me so suddenly, and immediately ceased. The noise of foils was but a second or two, and then I heard a noise of falling; that was momentarily; there was a little intervening noise, however; there was a sound as of persons scraping the feet on a carpet floor; it was a muffled noise; it was like maving something with the feet, or shuffling of feet; there was no carpet on the floor. At first I thought it no longer than a few seconds, but on taking my watch out and effecting, I found it was so. I was engaged writing an ornamental piece for exhibition when I first heard the noise—not engaged with one of the scholars. My attention was first called to the rorm by the clashing or rattling of foils or something—I hardly know how to call it. I think I remained in my seat till the noise of the body failing. I sat with my leit side towards Colt's room; my back partly so. I did not change my position till I heard the fail on the floor. Two or three seconds, or half a minute after, I heard the noise of falling; I rose from my seat; during that time I heard nothing like the opening or the shutting of a door; all was silent and still. At nine o'clock I left the room in charge of Mr. Delnose, requesting him to keep the watch; he remained till three on Saturday morning. On that morning at half-past nine, I arrived there and opened Mr Colt's door with a borrowed key, and looked in; I discovered the box was missing that had stood there; that the floor apparently had been scrubbed thoroughly; the spot over which this person had been stooping, I took particular notice had been more thoroughly scrubbed than any other part of the room, see and on the man of the room of my pupils to look the floor to be wet—water standing round the base; the centre was not entirely dry—dampish; I only stepped one foot in, and looked in; I discovered the noise of the room, I had been

vious that day. He asked me to smoke—I declined told him I took a pinch of snn2, but never smoked. He said it was a very bad habit of his, that he smotold him I took a pinch of son 2, but never smoked. He said it was a very bad habit of his, that he smoked so much it caused him to spit blood, or else he smoked to prevent spitting blood, I forget which, as my attention was more particularly directed to the floor. He stood sear the door. On this part of the floor which had been scrubbed more than the rest, there were 30 or 40 speckles (spittles) in a spot. In the course of the conversation I referred to the noise of the Friday previous. He said "To tell you the truth Mr. Wheeler, I upset my table and broke my ink bottle and spilt my books, but I cleared it all up and no offence—hope it didn't disturb you in your room. One thing I neglected to menion. On Saturday I called on Mr. Adams, owner of the building who had an office directly over my room, to ask his advice on the subject. He thought we had sufficient grounds to proceed upon—but had better be quiet and see if there was any thing in the pupers—it was a delicate subject to meddle with—better wait and deliberate—see if papers said any thing and we did nothing farther then. On Monday, after what I've said, I returned to my room and nothing farther occurred on Mondey that I resollect. During all that conversation, he continued standing. He stood in front of me or to the left of me. I gave the room further examination, I saw nothing but where he spit except what I saw on Saturday. It had the appearance of being scrabbed again—wet near the bar, but that proved to he oil. We met frequently during the week. On Tuesday I saw the notice in the paper; I then went to Mr. Lane in Catherine street, and saw Mrs. Lane; I told her—

[Stapped.]

Wirrass.—I saw Mrs. Lane; I returned to my

[Stopped.]
Wirness.—I saw Mrs. Lane; I returned to my room; Mr Lane called on me at my rooms at 12 o'clock, with a Mr. Lowring; Mr. Lane produced Mr. Adams' books—we examined them and found—

Selden wished to know if they meant to show that Mr. Wheeler conversed with Mr. Colt about Mr. Adams' book.

Witness.—We looked at the books, and found and saw that Mr. Colt.—[Stopped] From seeing the books we went over to the Mayor; I gave him a hastory of the occurrence, and preceedings were set on foot; I saw Colt frequently during the week.—it was Tuesday I went to the Mayor; the day I saw the notice in the paper; I saw Colt till his arrest; on Thursday, before he was taken, he asked me very politely to come into his rooms—he wished me to converse about book keeping; said I was an older teacher than him, and any advice I could give him about publishing his book he would be happy to receive; I partly promised to ge in, but did not. On Friday morning I was standing talking to Mr. Butler, the portrait painter, at the front door, and Mr. Colt came up and again asked me very politely to come into his room that afternoon. He appeared very friendly. That is all my knowledge of the subject.

Watting—He's your witness, gentlemen.

Cross examined—I think Colt moved to the room in the morning. In the course of a day or two after I went in I saw no change in the room till the Saturday after this affair. The chairs, and table and box, had been brought into the reom during his occupancy. Broadway is very noisy in the morning, and then again from 3 o'clock till candle light it is very noisy. This was a very warm and rainy day, and my windows were open. On a rainy day the noise of the omnibuses is apt to be greater than at any other time. I sm often very much incommoded in hearing in my husiness there when my windows are up; they were up that day. It was a quarter past three o'clock when I heard the noise. That young man (Seignette) usually came in at three o'clock. He kad been in about.

It was a quarter past three o'clock when I heard the noise. That young man (Seignette) usually came in at three o'clock. He had been in about a quarter ef an hour. About six o'clock the noise is the greatest with the carts; but it was very noisy. I went to Colt's door but once before I went up stairs for the other tenants. I staid at the door ten minutes, and called the boy to watch and then went up stairs. I went alone; only went once before I went up stairs; just stepped back to my door and called the boy to watch; then I used the pens I said; the latter part of the time I was watching; the person stooping rose up; I could only see the shoulders; the back part of thebody; and his head

to the right side, not much of the head; he was about a foot from the base, and about the centre of the west wall; the angle that I got to see with just brought my liue of sight so as to see the back and upper part of the individual; the face was to the wall; there was no change of position all the time except a gentle shaking of the shoulders, till he got up and went to the table. The table stood in the south west corner, the long side running towards the window; I believe there was a looking glass there, and some books and candlestick, but no shelves or book case; when I got the keys from the Mayor, I found a piece of looking glass natived against the wall; I had before seen a small looking glass there. The day Mr. Colt was taken, I observed pieces of looking glass that had been swept under the folding doors, large and small pieces, as if a looking glass had been broken; I have them now; I d.d not keep my pen in the key-hole; I did not then try to get into the room; I did not knock till my return from up stairs; I did not knock till my return from up stairs; I did not knock till my return from up stairs; I did not knock till my return from up stairs; I did not knock till my return from up stairs; I did not knock till my return from up stairs; I did not knock till my return from up stairs; I did not knock till my return from up stairs; I did not knock till my return from up stairs; I did not knock till my return from up stairs; I did not knock till my return from up stairs; I did not knock till my return from up stairs; I did not knock till my return from up stairs; I did not knock till my return from up stairs; I did not knock till my return from up stairs; I did not knock till my return from up stairs and the folding doors. After I called Mr. Seignette to watch I went to Mr. Osgood's room; he was absent. I went to Mr. Osgood's nom; he was absent. I went to Mr. Osgood's and Mr. Johnson's Mr. Johnson has a room opposite Colt's. I was only a minute or a minute and a half going up stairs and back; Mr. Seignette

(Here, at three o'clock, the Court took a recess of one hour.)

Afternoon Session.

Wheeler-Cross examination continued—I went up stairs and found Mr. Hockson in his room. I told him I wanted him to go down stairs—there was something wrong going on. We came down—went direct to Colt's door—Believe I didn't knock till Hockson left me. I looked in at the key hole, and saw the drop down. I told him I apprehended foul play. He staid down one or two minutes—We spoke together at the door. He didn't rap at the door. We spoke rather low. Didn't turn the handle of the door. I then went to my room and after this went to head of stairs and came back with heavy tread. It might be half an hour or fifteen minutes before I did this after I left Hockson. After he left me I went to my room, a scholar came in, and then I went to the door and rapped; no answer; went back to my room; then to the head of the stairs and back, and rapped again; received no answer; went then to my room. Mr. Seignette remained all the time; don't know why I waited till another student came in; perhaps I wanted advice. I did not ask Mr. Signette to go with me to Colt's room at any time; he might have come out: he was in the hall, in and out several times; some of my scholars went to the door and listened to see if they could discover any noise. I did not try the door at all, any time that day: the intervening noise was like shuifling of feet or moving of feet, as if to remove something; the noise of the fail was very sudden and instantaneous; the naise of the fail was very sudden and instantaneous; the naise of the keys: some of my scholars that afternoon, staid till my evening scholars came: Mr. Delnose came the re before Seignette left: I then sent him for the officer about half-past four: he was absent about thirty minutes—Messrs. Wood, Riley and Blair were there: there in the others. before the Mayor gave me the keys: some of my scholars that aftermoon, staid till my evening scholars came: Mr. Delnose came there before Seignette left: I then sent him for the officer about half-past four: he was absent about thirty minutes — Messrs. Wood, Riley and Blair were there: there might be others: I have some that go at candle light: Mr. Wood remained till \$b o'clock: he may have gone before. Mr. Riley and Blair went away. Mr. Wood might have gone away. Mr. Delnose went to tea and returned: he was absent about haif an hour. I think Seignette left at candle light. I cannot remember that any other of my afternoon scholars were there that day. Can't say what time Delnose went to tea. Can't name one who came there that evening. Mr. Riley might have returned. I think Mr. Riley left my tuition at that time, the next day, Saturday. Don't recollect that any one of my scholars besides left me on that day or night never to return. I can't recollect any other single individual of my scholars that was there that night. Mr. Wood and Mr. Riley went for the officer the second time; they returned, and Riley went away soon after. Mr. Wood might have remained till 8 o'clock, or have left at can't have remained till 8 o'clock, or have left at can't have remained till 8 o'clock, or have left at can't leight. At eandle lighting I went to the doer, and rapped again. Can't name the time Delnose came back from tea. I have my tea brought to my room every evening. I presume Mrs. Hockson brought me my tea that night. Don't think I left my room earlier than usual that night. I think I left Mr. Delnose alone that night. My ordinary step of walking along the hall could be heard in those rooms unless there was a noise in the street. At times the ordinary foot could be heard, and at others it could not. I think it was between 9 and 10 on the morning of Saturday, that I went into Colt's room. The floor was not then thoroughly dry; it had rather a damp appearance; one part was much whiter than the rest of the floor. Don't remember se Colt's room. The floor was not then thoroughly dry; it had rather a damp appearance; one part was much whiter than the rest of the floor. Don't remember seeing a pail there on Saturday morning. He used to have a pail there. That white spot in the floor was two feet six inches wide. It was half way between the door and window. I have frequently seen him have a pail there with water. I that spot near the base (sur-base) looked wet like water; on Saturday I saw it; but Dr Chilton said it was fish oil; but at a distance it looked like water. I supposed it to be water that had receded and was standing there. I think it had the same appearance on Saturday as on Monday. I cannot tel whether it was oil or water. The desk against the folding-doors is not there now; I have taken possession of both rooms now again. That desk there then was the shortest double desk I have in my room. It was about seven feet long and four feet wide. I obtained a key to open Colt's room, from Mr. Charles Wood, one of my scholars. Can't remember whether I asked him for it over night. I expressed a wish to have a look at the room, to see what was in it, and he said he had a key that would fit it. Letely the walls of that room have been partly scrubbed; so has the sur-base; by a woman whom I told to get the ink spots off. She got some off. Mr. Delnose had made a partial arrangement to have Mr. Colt's, som to sleep in, as soon as Colt left; and expecting this, Delnose had slept in my room, two or three evenings before the 17th of September. I think likely I told Colt that Mr. Delnose was occupying my room to sleep in nill he (Colt) went away. Mr. Delnose need to sleep on my chairs, with a comforter over him; it was warm weather. Mr. Delnose would have slept there whether I told him to stay that night or not. I told him to keep watch. Sometimes he went home to Staten Island. Can't say if he slept there on Saturday night. That box might have been one foot or six inches larger or smaller than what I've said. I did't send Delnose a second time for t

window; this is the curiam (curiam produced);
—when I looked through the key hole the curtain
was drawn across the window; it was suspended
from the centre of the window to the bostom;
my conversation with Seignette, in the hall, was in
a low tone; I think that in going through the halt
that afferzoon, I trod lightly, not to be heard by
those in the room; that person is the room stooping
I think was a tall man; his vest, I think, was a
white one; the pantaloons were black, I believe—
could not tell if he had boots or shees on; the two
hats were about six inches apart, standing on their
errowns; the table has leaves; no cover for it; I pulled the glass here from under the folding rooms into
my room; there were thirty or forty little pieces of
glass, and the two hig pieces just showed a mall
piece into my room; I first saw them the day Colt
was arrested; the noise like foils was like a single
clash of losls; it might have been like a glass falling down and breaking. After this there was a
shuffling of feet, and I have a faint recollection of
hearing a noise like the stamp of a foot before the
clashing noise was keard; heard nothing like the
upsetting of a chair; I've not often been able to
hear the voice of conversation in that room; sometimes heard loud talk; could not hear unexcited
conversation there. Mr. Hockden is a colored
man, and lives in the upper part of the building.

By Seldney.—The sun shines into all thoses nonth
windows; the building eppesite is a high five story
building, and cuts off ahe sun from these windows
some part of the day.

Anzac Sgionerry examined—Resides corner
thand Wooster, did so hast September; I went
direct to Wheeler's brown, took my seat at the deak
opposite (not against) the folding deors; it re quasallel to Broadway, about opposite to the folding
doors; on a bench, my back to the doors.—
The fall first excited my attention—I heard
the scuffle, or a kind of a rush; I heard a sandennoise; I should judge, I think; I heard a sandennoise; I should judge, I think it was

him.

Cross-examined by SELDEN—I think that Friday was the first day I was there; I had made arrangements that week to be his scholar; can't fix the exact time I went there; hadn't had any dinner; sometimes I went there at half-past three; can't tell what time I went there within an hour; that desk where I sat was three feet from the Broadway wall; the desk was four feet wide; I was a little nearer the north wall than the centre, and about eight feet from the Broadway wall; didn't hear a noise that day like men moving on the floor: I heard something like the breaking of glass; I heard the rush and the fall—no other noise. The first noise was like foils rushing together, crossing each other; I don't think it was foils, though I can't compare it to any other thing; the noise and the fall was too close to sound like men rushing together with foils; co any other tunes; the noise and the fall was too close to sound like men rushing together with folis; there was but a second or two between them; the last noise was like the sudden falling of a body; after this, when I listened at the folding doors, I thought I heard a struggling or something of that kind; I couldn't see through those doors; after I saw Wheeler go to the key-hole, I went and listened at the folding doors; while Wheeler was looking through the keyhole, I stood half a minute, and then I went and got on the desk, and put my ear within three inches of the folding doors: I was on the desk nearly a minute; can't say with any certainty whether I heard a noise while my ear was at the folding doors or not; the key hole was stopped up with the brass drop before it; Wheeler was absent up stairs about five minutes; can't say ecrtain; from that time till I went away, there were no eher scholars there but Wheeler, Delnose, myself, Hockden, and the two strangers. I might have gone away at eight. I think Delnose would have refused to go had we not kept on. Delmose came there at half-past four; a quarter of an hour afterwards, Wood and the stranger went out; they were gone about three quarters of an hour; that made half-past 5; we were talking about it about quarter or half an hour. That was six o'clock; and he was gone to the police effice about an hour. When he came back I was going away. I did not go away between six and seven o'clock, but from half-past seven to half past eight o'clock. But from half-past seven to half past eight o'clock, and he was gone to the police effice about an hour. When he came back I was going away. I did not go away between six and seven o'clock, but from half-past seven to half past eight o'clock. But from half-past four when Delnose came than I have said they did. I think it must have been later than half-past four when Delnose came times had all returning from the peak of the desk when I ten the side walk, the same side as the Granie half-past four when half half past four wh